

MONITORING INSTRUMENT ITEM REPORT

2013–14 Program Instruments

Education Equity 2013-14

II. GOVERNANCE AND ADMINISTRATION

II-EE 01: Administrative Requirements

Updated 06/04/2013 by Administrator Administrator

SEA Status In Progress

Comments by SEA

Compliance Indicators II-EE 1. 1.0 The local educational agency (LEA) adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. The policy shall include the following: a) A statement that it applies to all acts related to school activity or school attendance within a school under the jurisdiction of the superintendent of the school district. b) Requires that school personnel take immediate steps to intervene when it is safe to do so and when he or she witnesses an act of discrimination, harassment, intimidation or bullying. (Education Code [EC] §§ 200, 220, 221.5, 234.1, 260; Government Code [GC] § 11135; Penal Code [PC] § 422.55; California Code of Regulations, Title 5 (5 CCR) §§ 4900, 4902, 4960.)

1.1 The LEA adopted and implemented a complaint process to receive, investigate, and resolve allegations of discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, age, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics, and shall include, but not limited, to the following: (EC §§ 221.5, 234.1(b) and 260; 5 CCR §§ 4621 and 4960(a).)

a. A timeline for the investigation and resolution of complaints of discrimination, harassment, intimidation or bullying that all schools under the jurisdiction of the district will follow.

b. Provide an appeal process to the complainant should he or she disagree with the resolution of the complaint.

c. All forms created relative to this process shall be translated pursuant to EC § 48985.

1.2 Publicized policies that prohibit discrimination, harassment, intimidation and bullying, including information about how to file a complaint, to students, parents, employees, agents of the governing board, and the general public. This information is to be translated according to EC § 48985. (EC §§ 234.1(c), 35291, 48980(a) and (g); 5 CCR §§ 4622 and 4960(b).)

1.3 Investigated all allegations of discrimination and implemented effective corrective actions whenever necessary and appropriate; maintain documentation of complaints and their resolution for a minimum of one review cycle; and ensure that complainants are protected from retaliation and the identity remains confidential. (EC §§ 234.1(b) (e) (f), 260; 5 CCR §§ 4621 and 4962.)

1.4 Posted policies prohibiting discrimination, harassment, intimidation and bullying in all schools and offices, which include staff lounges and student government meeting rooms. (EC § 234.1(d).)

1.5 Identified the person in the LEA responsible for implementation of the policy prohibiting discrimination, harassment, intimidation, and bullying; and the person responsible for investigating complaints, as well as ensuring compliance with Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of Regulations and Chapter 2 (commencing with section 200). (EC § 234.1(g); 5 CCR §§ 4621(b) and 4961.)

Associated Documents A random selection of complaints received during the past 12 months will be reviewed during an on-site review [r]
Educational program and activity brochures [s]
LEA Web page link to anti-discrimination policy [s]
Parent handbook(s) [r]
Sample employee recruitment materials [r]
Sample job announcements [r]
Student handbook(s) [r]

Required and Suggested Documents Job announcements published in a newspaper (school and other local newspaper) [r]
LEA or school catalogs [s]
Memorandums related to anti-discrimination policy [s]
Policy prohibiting discrimination, harassment, intimidation, and bullying, including the date of approval by the LEA governing board [r]

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Policy regarding complaint process, including the date of approval by the LEA governing board [r]
Posters regarding educational programs [s]
Sample employee job application with anti-discrimination policy [r]

Legal References

II. GOVERNANCE AND ADMINISTRATION

II-EE 02: Governance Counseling Staff

Updated 06/04/2013 by Administrator Administrator

SEA Status In Progress

Comments by SEA

Compliance Indicators II-EE 2. All employees and materials do not discriminate against any student based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (EC §§ 200, 220, 221.5, 260; GC § 11135; PC § 422.55; 5 CCR §§ 4900, 4902, 4960.)

2.1 The LEA develops and uses an internal procedure to ensure that different counseling materials for students is not used on the basis of sex or the use of materials does not permit or require different treatment of students based on sex. (34 CFR § 106.36 (b).)

2.2 The LEA takes action to ensure that any disproportionate number of students of one sex enrolled in a particular class is not the result of counseling or appraisal materials. (34 CFR § 106.36 (c).)

Associated Documents A random selection of complaints received during the past 12 months will be reviewed during an on-site review [r]
LEA Web page link to anti-discrimination policy [s]
Parent handbook(s) [r]
Student handbook(s) [r]

Required and Suggested Documents Brochures describing programs, courses, and activities [s]
Counseling materials related to educational programs [s]
Course announcements [r]
Educational program promotional materials [s]
Educational program recruitment materials [s]
LEA or school policy related to counseling staff and materials and anti-discrimination [s]
Process by which school identifies and resolves disproportionate number of students of one sex in a particular class [r]
School newsletter related to counseling resources [s]

Legal References

II. GOVERNANCE AND ADMINISTRATION

II-EE 03: Governance Rule

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SEA Status In Progress

Comments by SEA

Compliance Indicators II-EE 3. The LEA applies no rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (5 CCR § 4950.)

3.1 The LEA does not exclude or deny any student from any educational program or activity solely on the basis of pregnancy, childbirth, false pregnancy, termination of or recovery from pregnancy. (5 CCR § 4950 (a); 34 CFR §

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106.40 (b)(1.)

3.2 Pregnant minors and parenting male or female students are not excluded from participation in their regular school programs or required to participate in pregnant-minor programs or alternative educational programs. (34 CFR § 106.40 (b)(3); 5 CCR § 4950(c).)

3.3 Minors who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program. (5 CCR § 4950(c).)

3.4 The LEA treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery from pregnancy in the same manner and under the same policies as any other temporary disabling condition. (5 CCR § 4950(d); 34 CFR § 106 (b)(4).)

Associated Documents LEA Web page link to anti-discrimination policy [s]
Parent handbook(s) [r]
Student handbook(s) [r]

Required and Suggested Documents Alternative education opportunities for pregnant/parent minors [r]
Brochures/written materials directed to pregnant/parenting students [r]
Counseling opportunities for pregnant/parenting students [r]
LEA or school policy related to student's actual or potential parental, family, or marital status and prohibits the treatment of students differently on the basis of sex [r]
Student schedules for three pregnant and/or parenting minors and three students in regular program in the same grade level (remove student names) [r]

Legal References

II. GOVERNANCE AND ADMINISTRATION

II-EE 04: Sex Equity

Updated 06/04/2013 by Administrator Administrator

SEA Status In Progress

Comments by SEA

Compliance Indicators II-EE 4. Governing board policy prohibits sexual harassment as a form of sexual discrimination and provides notification of available remedies. (EC § 231.5 (a), (b), (c).)

4.1 The LEA notifies students, parents, employees and others that it does not discriminate on the basis of sex. (34 CFR § 106.9(a).)

4.2 The LEA policy on sexual harassment is prominently displayed. (EC § 231.5(d).)

4.3 LEA nondiscrimination announcements include the name, office address, and office telephone number of the officer responsible for equity and compliance with Title IX. (5 CCR § 4961; 34 CFR §§ 106.8(a), (b), 106.9.)

4.4 The LEA maintains records of complaints of sexual harassment brought by pupils and employees of the school district. (EC § 253(a).)

(5 CCR §§ 4960(b), 4961.)

Associated Documents A random selection of complaints received during the past 12 months will be reviewed during an on-site review (hard copy only) [r]
LEA Web page link to anti-discrimination policy [s]
Parent handbook(s) [r]
Sample employee recruitment materials [r]
Student handbook(s) [r]

Required and Suggested Documents Policy prohibiting sexual harassment, including the date of approval by the LEA governing board [r]
Policy regarding sexual harassment complaint process, including the date of approval by the LEA governing board [r]

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Sample employee job application with sexual harassment policy [r]

Legal References

III. FISCAL

III-EE 05: Funding

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SEA Status In Progress

Comments by SEA

Compliance Indicators III-EE 5. Athletic programs supported by public funds provide equal opportunity for participation by all students and ensure equitable use of such funds. (5 CCR § 4900(b), 4920, 4922.)

5.1 If the LEA reduces its athletic budget, it does so consistent with state and federal gender equity laws. (EC § 230(e); 5 CCR § 4922(b); 34 CFR § 106.41 (c))

Associated Documents Athletics course handbook(s) [r]
Athletics master schedule [r]
Athletics rosters (hard copy only) [r]
LEA or school policy related to athletics [r]
LEA Web page links to athletic programs [s]
Student handbook(s) [r]

Required and Suggested Documents Athletic program brochures [s]
Fiscal records/line item expenditures for athletic program equipment, facilities, instructors [r]
Posters/bulletins advertising LEA athletic programs [s]
Promotional materials for athletic programs [s]

Legal References

VI. OPPORTUNITY AND EQUAL EDUCATIONAL ACCESS

VII-EE 06: Opportunity and Equal Educational Access

Updated 06/04/2013 by Administrator Administrator

SEA Status In Progress

Comments by SEA

Compliance Indicators VI-EE 6. LEA programs, activities, and student clubs are available to all persons without regard to actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (EC §§ 200, 220 and 260; 5 CCR §§ 4925 and 4926.)

6.1 The LEA monitors compliance with any and all rules and regulations. (EC § 260.)

6.2 All student clubs have equal access to facilities and a fair opportunity to meet. (5 CCR § 4927.)

6.3 No course or activity is labeled or scheduled which results in the separation of students on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, and mental or physical disability. (5 CCR § 4940(d).)

6.4 The LEA recognizes and eliminates unlawful discrimination. (5 CCR § 4900.)

6.5 The LEA investigates complaints of unlawful discrimination. (5 CCR § 4960(a).)

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Associated Documents	Student handbook(s) [r]
Required and Suggested Documents	Brochures/materials on programs, activities, and student clubs [s] LEA or school policy for adding new classes of instruction [r] LEA or school policy related to programs, activities, and student clubs [s] Participation records for programs, activities, and student clubs (remove student names) [r] Posters/bulletins advertising clubs, programs, and activities [s] Recruitment materials used to interest/inform students about opportunities for participation in programs, activities, and clubs [s] School newsletter/newspaper related to programs, activities, and student clubs [s] Selection criteria for LEA programs, activities, and student clubs [r] Survey of interest sent to students regarding programs, activities, and student clubs [s]

Legal References

VII. TEACHING AND LEARNING

VII-EE 07: Teaching and Learning

Updated 06/04/2013 by Administrator Administrator

SEA Status	In Progress
Comments by SEA	
Compliance Indicators	VII-EE 7. The LEA accommodates the interests and abilities in athletics of both sexes by any one of the following means: (a) Opportunities for interscholastic-level participation for male and female students are substantially proportionate to their respective enrollments. (EC § 230(d)(1).) (b) The history of the program and continuing practice of expansion are responsive to the developing interest and abilities of members of the sex that has been and is underrepresented among interscholastic athletes. (EC § 230(d)(2).) (c) Interests and abilities of the underrepresented sex have been fully and effectively accommodated by the present program. (EC § 230(d)(3).) 7.1 Facilities and equipment provided for students are comparable and equitable to both sexes without disparity or imbalance. (5 CCR § 4922(a)(7), (8), (9); 34 CFR § 106.33.)
Associated Documents	Athletics course handbook(s) [r] Athletics master schedule [r] Athletics rosters (hard copy only) [r] LEA or school policy related to athletics [r] LEA Web page links to athletic programs [s]
Required and Suggested Documents	Athletics newsletter/school newspaper [s] Athletics recruitment and selection criteria [r]
Legal References	